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City of
Santa Monica®

Rick Cole
City Manager

Office of the City Manager
1685 Main Street
PO Box 2200
Santa Monica, CA 90407-2200

REVISED FIFTH SUPPLEMENT TO THE EXECUTIVE ORDER OF THE DIRECTOR OF EMERGENCY SERVICES DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors and Department of Public Health declared a local emergency and local public health emergency to aid the regional healthcare and governmental community in responding to COVID-19; and

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for broader spread of COVID-19; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency and announced that the federal government would make emergency funding available to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

WHEREAS, on March 13, 2020, the City Manager, in his role as the Director of Emergency Services, ("Executive Director of Emergency Services") proclaimed the existence of a local emergency pursuant to Chapter 2.16 of the Santa Monica Municipal Code to ensure the availability of mutual aid and an effective the City's response to the novel coronavirus ("COVID-19") and this local emergency was restated on March 14, 2020, through a revised declaration of local emergency to ensure compliance with all digital signature requirements; and

WHEREAS, on March 14, 2020, the Executive Director of Emergency Services issued a first supplemental emergency order placing a temporary moratorium on evictions for non-payment of rent and temporarily suspending (a) the discontinuation or shut off of water service for residents and businesses in the City for non-payment of water and sewer bills; (b) the imposition of late payment penalties or fees for delinquent water and/or sewer bills; and (c) the imposition of late payment penalties or fees for parking violations; and

WHEREAS, on March 15, 2020, the Executive Director of Emergency Services issued a second supplemental emergency order temporarily closing the Santa Monica Pier to the general public; and

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WHEREAS, on March 16, 2020, the Executive Director of Emergency Services issued a third supplemental emergency order that ordered the temporary closure of bars and nightclubs that do not serve food, movie theaters and entertainment venues, bowling alleys and arcades, gyms and fitness centers, and non-medical physical health and beauty businesses; temporarily prohibited restaurants, bars, and retail food facilities from serving food on-premises; and strongly urged houses of worship to limit large gatherings on their premises and to observe social distancing practices in their services; and

WHEREAS, on March 17, 2020, the Executive Director of Emergency Services issued a Revised Fourth Supplement to the Executive Order" to permit public safety facilities, hospitals, clinics, and emergency shelters in all zoning districts and allow the Director of the Department of Planning and Community Development or designee to waive development standards, design review, parking and access requirements, and sign standards related to such uses; to permit limited service and take-out restaurant uses in any zoning district that allows full-service restaurants; to allow drive-through facilities for clinics, convenience markets, farmers markets, general markets, hospitals, pharmacies, and restaurants; to suspend planning deadlines and automatic approvals; to extend interim zoning ordinances now in effect; to direct that street sweeping not be conducted unless essential for public health and safety and suspend parking citations related thereto; to suspend preferential parking rules; to suspend certain regulations relating to the operation of oversize vehicles; and to suspend Breeze bike share fees; and

WHEREAS the Centers for Disease Control and Prevention, the California Department of Public Health, and the Los Angeles County Department of Public Health have all issued public health recommendations to the community including but not limited to staying home if sick, social distancing from non-family members, canceling or postponing events and gatherings, and taking other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS these public health recommendations and City orders impact daily life in the community as well as the livelihood and economic wellbeing of residents and businesses; and

WHEREAS loss of income as a result of COVID-19 may inhibit City residents and businesses from fulfilling their financial obligations, including public utility payments such as water and sewage charges and parking penalties; and

WHEREAS, ensuring that all people in the City continue to have access to running water during this public health crisis will enable compliance with public health directives that people regularly wash their hands will help to prevent the further spread of COVID-19; and

WHEREAS the health and safety of the City's Motor Coach Operators and the continued safe delivery of transit services to our customers and the community is of the utmost importance; and

WHEREAS the Los Angeles County of Public Health has confirmed 144 cases of COVID-19 in Los Angeles County and has advised that bold and aggressive measures to prevent the further spread of COVID-19; and

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WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to exercise my authority pursuant to Section 2.16.060 of the Santa Monica Municipal Code to issue this regulation related to the protection of life and property.

NOW, THEREFORE, I, Rick Cole, the Director of Emergency Services for the City of Santa Monica, do hereby issue the following order to become effective immediately, subject to ratification as soon as practicable by the City Council:

IT IS HEREBY ORDERED THAT:

1. The Big Blue Bus shall, on or before March 20, 2020, implement a rear-door boarding policy for all BBB customers with the exception of ADA customers traveling in mobility devices. In order to implement this policy, customer fare payment on the BBB is hereby suspended.

2. The discontinuation or shut off of water service for residents and businesses in the City for non-payment of water or sewer bills is hereby suspended.

3. The imposition of late payment penalties is hereby suspended for unpaid or delinquent:

    a. Water and/or sewer bills;

    b. Parking citations;

    c. Refuse and recycling collection bills;

    d. Certified Unified Program Agency (CUPA) charges;

    e. Fire Prevention inspection charges;

    f. Transient Occupancy Taxes;

    g. Utility Users Taxes; and

    h. Parking Facility Taxes.

4. The parking restrictions and limitations in Santa Monica Municipal Code Section 3.12.730, Green Parking Zones are hereby suspended.

5. Towing is suspended for violations of the California Vehicle Code related to delinquent parking citations (California Vehicle Code Section 22651i), abandoned vehicles (California Vehicle Code Section 22651k) and expired registration (California Vehicle Code Section CVC 22651o).

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6. All penalty assessments related to business licenses and business improvement district assessments shall be frozen as of March 1, 2020, and suspended thereafter.

7. The Fifth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency is hereby retracted. This Revised Fifth Supplement to the Executive Order of the Director of Emergency Services Declaring the Existence of a Local Emergency expressly supersedes and replaces that prior Order.

8. This Order shall take effect immediately and shall remain in effect until April 15, 2020, at 11:59 p.m, at which time it will automatically expire unless extended or expressly superseded by a duly enacted Ordinance of the City Council or by a further Order by the Director of Emergency Services.

ADOPTED this 18th day of March 2020.

By: DocuSigned by: 65D0346A36E24B9...
RICK COLE
City Manager
Director of Emergency Services

ATTEST:

DocuSigned by: E2F85B056A714C3...
DENISE ANDERSON-WARREN
City Clerk

APPROVED AS TO FORM:

DocuSigned by: FEC6DBA8A0D3460...
LANE DILG
City Attorney